

10/691,983

Response to Restriction Requirement dated May 11, 2004

Response dated June 9, 2004

### **REMARKS**

Claims 1-7 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. '121. Specifically, the Official Action avers that the following inventions are present in the claims:

Group 1, FIGS. 2-7B; and

Group 2, FIG. 8.

It is the Examiner's position that the inventions listed as Groups 1 and 2 are distinct from each other.

In response to the Examiner's requirement for restriction, Applicant provisionally elects to prosecute the subject matter of Group 1, Claims 1-4. However, Applicant reserves the right under 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected claims in this application.

Claim 1 is directed to a highchair comprising a base portion; a seat portion; and a pneumatic cylinder lifting means, wherein both ends of the lifting means are connected to the base portion and the seat portion, respectively. The Examiner indicates that currently at least **claim 1 appears generic**. The applicant maintains that claims 5-8 are directed to the highchair of FIG. 8.

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In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,



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